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August 28, 2018

Clerk's Office
U.S. District Court for the Northern District of Ohio
801 W. Superior Avenue #100
Cleveland, OH 44113

1:18 MC 79

JUDGE GWIN

Re: **Application for DMCA Subpoena**

Dear Sir or Madam:

On behalf of our client, The NOCO Company (hereinafter "NOCO"), we respectfully request that the Clerk issue a subpoena pursuant to 17 U.S.C. § 512(h).

By way of background, Section 512(h) of the Digital Millennium Copyright Act provides that a "copyright owner or a person authorized to act on the owner's behalf may request the clerk of any United States District Court to issue a subpoena to a service provider for identification of an alleged infringer in accordance with this subsection." 17 U.S.C. § 512(h)(1). For a subpoena to be issued, Section 512(h) requires that a copyright owner file the following with the Clerk:

(1) A copy of the notification required by Section 512(c)(3)(A);

(2) A proposed subpoena; and

(3) A sworn declaration to the effect that the purpose for which the subpoena is sought is to obtain the identity of an alleged infringer and that such information will only be used for the purpose of protecting rights under this title.

Accordingly, attached for filing with the Clerk are NOCO's notification pursuant to Section 512(c)(3)(A), a proposed subpoena, and a sworn declaration. As NOCO has complied with the requirements of the statute, we ask that the Clerk pursuant to Section 512(h)(4) expeditiously issue and sign the proposed subpoena and return it to NOCO (c/o undersigned counsel) for service on the subpoena recipient.

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Thank you for your cooperation and prompt response in this matter. If you have any questions, I am reachable as noted above.

Sincerely,

David R. Posteraro

Enclosures